

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

In re MCG Health Data Security Issue
Litigation

NO. 2:22-CV-00849-RSM-DWC

**ORDER GRANTING PLAINTIFFS'
MOTION FOR APPOINTMENT OF
INTERIM CO-LEAD COUNSEL
PURSUANT TO FRCP 23(G)**

THIS MATTER, having come before the Court by Plaintiff Diana Saiki in the above-captioned case by their Unopposed Motion for Appointment of Interim Co-Lead Counsel Pursuant to FRCP 23(g) and supporting materials, the criteria set forth in Federal Rule of Civil Procedure 23(g), IT IS ORDERED that the Motion is GRANTED as set forth below:

1. The Court hereby appoints Jason T. Dennett of Tousley Brain Stephens PLLC Gary M. Klinger of Milberg Coleman Bryson Phillips Grossman, PLLC, and Adam Polk of Girard Sharp LLP as Interim Co-Lead Class Counsel to act on behalf of the Plaintiffs and the putative class of consumers who received notice that their data was compromised in the MCG Health, LLC data breach, with the responsibilities set forth below:

- a) Direct and manage pretrial proceedings on behalf of all plaintiffs, including the briefing and argument of motions and the conduct of all types of discovery proceedings;
- b) Delegate work responsibilities to other plaintiffs' counsel, and monitor the activities of all plaintiffs' counsel to assure that plaintiffs' pretrial preparation is

1 conducted effectively, efficiently, and economically, that schedules are met, and
2 that unnecessary expenditures of time and expense are avoided;

- 3 c) Consult with and employ consultants or experts, as necessary;
- 4 d) Coordinate with plaintiffs' counsel in management of the litigation and fund the
5 necessary and appropriate costs of discovery and other common benefit efforts;
- 6 e) Coordinate settlement discussions or other dispute resolution efforts on behalf of
7 plaintiffs, under the Court's supervision, if and as appropriate;
- 8 f) Enter into stipulations with other parties as necessary for the conduct of the
9 litigation;
- 10 g) Prepare and distribute to the plaintiffs and counsel periodic status reports;
- 11 h) Maintain adequate time and disbursement records covering services as
12 appointed counsel; and,
- 13 i) Perform such other duties as may be incidental to proper coordination with the
14 other plaintiffs' counsel with respect to plaintiffs' pretrial activities or as
15 authorized by further Order of the Court.

16 Co-Lead Counsel are also hereby designated as Interim Co-Lead Class Counsel pursuant
17 to Rule 23(g) to "act on behalf of a putative class before determining whether to certify the class
18 as a class action." Fed. R. Civ. P. 23(g)(3).

19 2. Unless otherwise ordered by the Court upon a showing of good cause, this Order
20 shall apply to any action filed in, transferred to, or removed to this Court which relates to the
21 subject matter at issue in this case.

22 ORDERED this 5th day of September, 2023.

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24 David W. Christel
25 Chief United States Magistrate Judge
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